



GSA Federal Acquisition Training Symposium

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Keeping Your GSA Multiple Award Schedule Contract Compliant

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Agenda



- GSA Personnel
- Contract Compliance
 - Scope of Contract Compliance
 - Trade Agreements Act (TAA)
 - Sales Reporting and Industrial Funding Fee (IFF) Remittance
 - Basis of Award
 - Pricing
 - Prompt Payment Discounts
 - Minimum Sales Requirement
 - Qualified Labor
 - Administrative Concerns & Other Compliance Concerns
- Contract Assessments

GSA Personnel

➤ Procurement Contracting Officer (PCO)

- Awards your contract
- Approves bilateral modifications
- PCO contact information may be found on GSA eLibrary:
<https://gsaelibrary.gsa.gov>
- Ultimate authority over your GSA MAS contract

➤ Administrative Contracting Officer (ACO)

- Delegated functions by the PCO
- ACO contact information may be found at:
https://vsc.gsa.gov/tools/aco_ioa.cfm



GSA Personnel (Cont.)

➤ Industrial Operations Analyst (IOA)

- Conducts contractor compliance assessments
- Monitors sales reporting, sales adjustments and Industrial Funding Fee (IFF) remittance
- Provides general guidance and business development support
- IOA contact information may be found at:
https://vsc.gsa.gov/tools/aco_ioa.cfm



GSA Personnel (Cont.)

➤ Industrial Operations Analyst (IOA) Realignment

- In February 2017, all IOAs were realigned to FAS Acquisition Centers in support of GSA's Category Management Initiative
- IOAs are now aligned to exclusively support specific GSA Acquisition Centers with assigned contract workloads spread across the country



Virtual Assessments

- Mutually agreed upon by the IOA and contractor
- Conducted over the Internet, web conferencing, email and/or telephone
- Topics and documents required are the same as in-person meetings
- Benefits include potential cost savings to Government and contractor



Compliance Overview



➤ GSA and Ordering Agencies

- Abide by the Federal Acquisition Regulation (FAR) and agency specific regulations
- Ordering agencies must abide by MAS contract terms & conditions
- GSA PCO has ultimate authority over the MAS contract

➤ Contractors

- Must be in compliance with MAS contract terms & conditions and purchase/task order terms & conditions
- Remember: the GSA Schedule terms & conditions take precedent over the purchase/task order terms & conditions

Scope and Contract Compliance

- Contract items must be within the “scope” of the Schedule and approved Special Item Numbers (SINs)
- Only products and/or services awarded on your GSA Schedule pricelist may be sold IAW your contract
- “Open Market” (non-contract) items must be identified
- Expand the scope of your offerings through
 - Modifications
 - Additional GSA Schedule contracts
 - Contractor Teaming Arrangements (CTAs)

Trade Agreements Act (TAA)



- Applies to “all” GSA MAS Contracts
- TAA compliant countries may be found under FAR 25.003
- Service Contractors are TAA compliant if they are headquartered in compliant countries
- Notify your PCO if noncompliance is determined

Sales Tracking System

- Identifies, tracks and reports GSA sales accurately and completely
- Reports all transactions within the proper period
- Retrieves data easily
- Separates Schedule sales from other Federal sales and commercial sales

Sales Reporting and Industrial Funding Fee (IFF) Remittance

- Sales reports must be submitted and IFF remitted within 30 days after the end of the quarter, NLT:
 - January 30th, April 30th, July 30th and October 30th
- \$0.00 must be reported if you have no sales for the quarter
- 72A Sales Reporting System
- Do not report “open market” items and travel costs
- The IFF of 0.75% is included in your awarded pricing

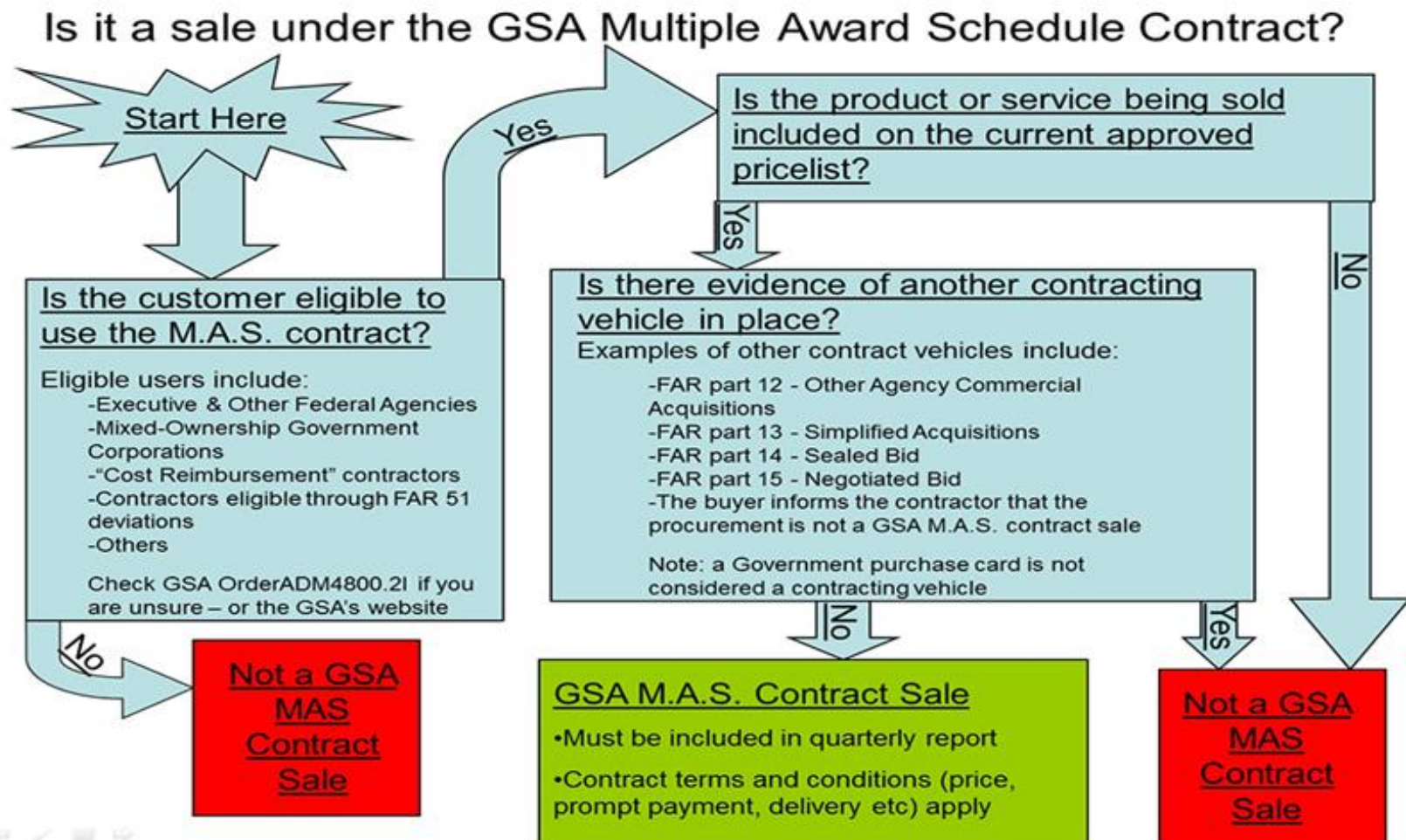
GSA Reporting and Transactional Data Reporting (TDR)

- Mod. A509 – Issued JAN 2017 for PSS Contractors
- TDR Sales Reports must be submitted “monthly” at:
 - <https://tdr.gsa.gov>
- IFF may be remitted monthly or within 30 days following the end of the quarter
- Do not report “open market” items and travel costs
- Sales adjustments are submitted by the contractor

Indicators of a Schedule Sale

- The GSA contract number is stated on the purchase/task order
- If no contract vehicle is stated on the task order “and”:
 - Same terms and conditions as your GSA contract
 - Through GSA Advantage!® or eBuy
 - Paid with the Government purchase card for contract products or services awarded on your contract
 - The pricing is at or below contract pricing

Reportable Sale Flowchart



Basis of Award

- Discount relationship with predicates your GSA pricing
 - Found on the SF 1449, Final Proposal Revision Letter, or subsequent modifications (SF 30s)

- Must be maintained to comply with the Price Reductions Clause (GSAM 552.238-75)
 - Adverse changes are referred to as “price reductions”
 - Price reductions should be reported to the PCO within 15 calendar days

- Note: The BoA and the Price Reduction Clause does not apply to TDR contractors

Pricing

- Must charge at or below your GSA Schedule price
 - Spot discounts are allowed and will not result in a price reduction

- Price increases (Economic Price Adjustments) must be approved by your PCO
 - Automatic escalations
 - Incorporated in the original contract (SF 1449) or subsequent modifications (SF 30s)
 - One-time increases
 - Incorporated via modifications (SF 30s)
 - Refer to clauses 552.216-70 and I-FSS-969



Prompt Payment Discounts

- Awarded prompt payment discount terms must be displayed on all MAS invoices
- Electronic invoicing such as DoD's WAWF and the VA's OB-10 systems
- Does not apply to Government purchase card payments
- Terms may be included in all MAS quotations

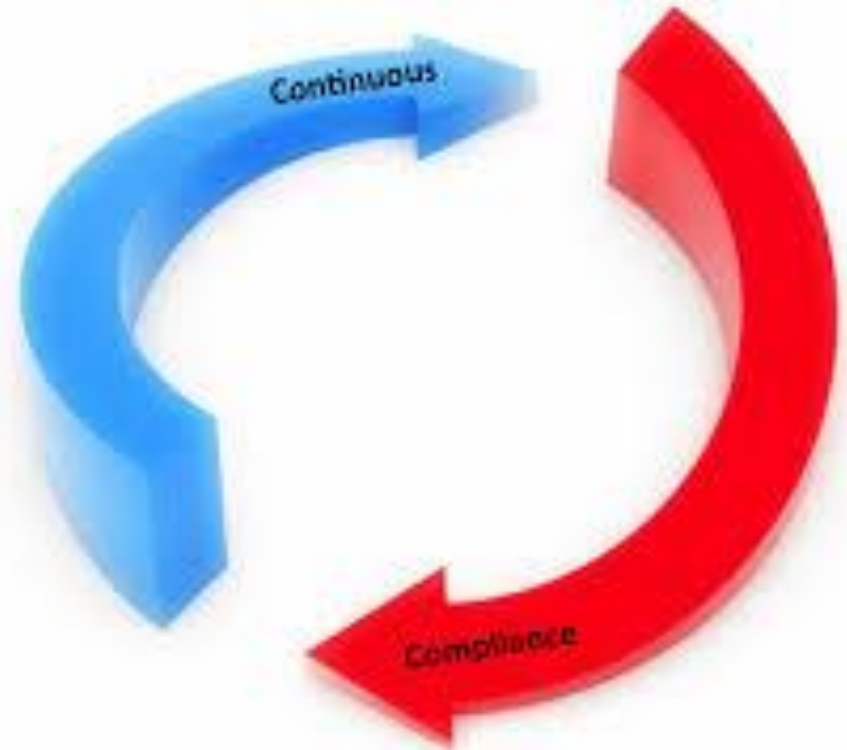
Minimum Sales Requirement

- Contract Sales Criteria Clause, I-FSS-639
- Requirement:
 - \$25,000 in contract sales over the first 24 months
 - \$25,000 for each 12 month period thereafter
- GSA may cancel the contract if it does not meet the minimum sales requirement



Administrative Concerns

- Pricelist maintenance
- Mass Modifications
- Bankruptcy
- SAM.gov
- Novation and Change of Name Agreements



Point of Contact Information Updates

- GSA Contract
 - Headquarters address
 - Point of Contact name, phone number, email address & office address
 - Must be updated via contract modifications using eMod
- GSA eLibrary/GSA Advantage Company Information
 - Verify the contract information listed is accurate
 - Telephone number, email and web address may be updated using SIP
 - Company name and address changes must process through SAM.gov
 - Note: eBuy contact info may be updated under your “profile” on GSA eBuy

Labor Qualifications

- Labor qualification review is an integral part of your assessment conducted by the IOA
- Professional Services contracts awarded with labor categories
 - Advertising & Integrated Marketing Solutions (AIMS)
 - Environmental Services (PES)
 - Financial & Business Solutions (FABS)
 - Mission Oriented Business Integrated Services (MOBIS)



Other Compliance Concerns

➤ Environmental attributes

➤ Subcontracting plans

➤ Delivery

➤ eCommerce

➤ GSA eLibrary/Advantage Pricelist

- Watch for the Formatted Product Tool (FPT) mass mod in the Spring 2017



Modification Types

Contractor Initiated

GSA
Initiated

Pricelist

Company
Information

Legal

Mass Mods

GSA eMod Process

- Contractor Initiated Modification
 - Price list changes
 - Company information changes
 - Legal changes
- Completed at GSA's eMod Website
- Requires a Digital Certificate
- Schedule 70 Specific Modification Instructions
 - GSA's IT Schedule 70 Modification Guidance Package
 - Price List Modification Template



GSA Mass Modification Process

- Generally a GSA initiated modification to all Schedule 70 Contractors
- Emailed to the Contract Administrator
- Completed at GSA's Mass Modification Website

The logo for the video game Mass Effect, featuring the word "MASS" in a large, bold, stylized font with a metallic, 3D appearance, and the word "EFFECT" in a smaller, similar font below it.

Contractor (Compliance) Assessments

➤ Objectives

- Assess the level of compliance with your GSA Schedule contract Terms & Conditions
- Address your questions and/or concerns
- Evaluate processes and procedures
- Performed for most GSA Schedules



Assessment Frequency

- Annual Assessment vs End-of-Term Assessment
- Annually for contractors meeting established MAS reported sales thresholds
 - Focuses on Sales Tracking, Pricing, TAA, Prompt Payment Discounts and Labor Qualifications
- End-of-Term for contractors in the 4th contract year meeting established MAS reported sales thresholds
 - Covers all compliance topics in this presentation

Assessment Participants



➤ Your Company

- GSA Contract Administrator
- Other relevant personnel responsible for contractual functions (e.g. sales, marketing, order tracking, IFF remittance)

➤ GSA

- Industrial Operations Analyst (IOA)

Assessment Preparation

- Initial phone call or email from IOA, followed by pre-visit confirmation email detailing requirements
- Familiarize yourself with the requirements addressed in confirmation email
- Contact IOA with any questions



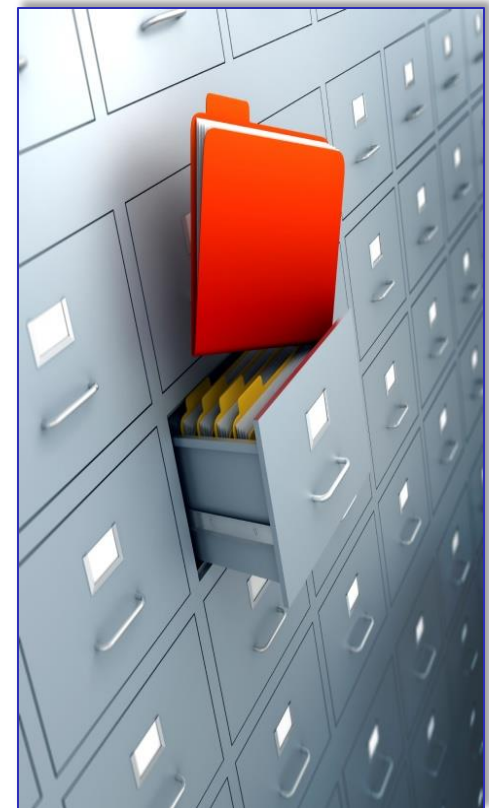
Assessment Intent Notice

- Provided by your IOA prior to the Assessment
- Purpose is to eliminate any confusion between IOA Assessments and OIG Audits
- Should be reviewed, signed and returned to IOA



Recommended Documentation

- GSA Contract, including:
 - Standard Form 1449 (SF 1449)
 - Incorporated documents (e.g. Final Proposal Revision (FPR) letter, Commercial Sales Practices)
- Approved Modifications (SF 30s)
- Current approved pricelist and all previously approved versions for the period reviewed



Recommended Documentation (Cont.)

- Sales data supporting your reported sales for the quarters being reviewed
 - IOAs have access to the reported sales figures but not the supporting records
- Examples of supporting records for reported sales:
 - Accounting reports
 - Spreadsheets
 - Ledgers
 - Invoices



Supporting Documents

Recommended Documentation (Cont.)

➤ Purchase and/or Task Orders

- Customers do not provide GSA copies of orders they place against GSA Schedule contracts

➤ Related Documentation

- Statement of Work (SOW)
- Quotations
- Invoices



Recommended Documentation (Cont.)



- Trade Agreements Act (TAA)
 - Contractors supplying tangible products should be able to provide Country of Origin (COO) information and/or Letters of Supply



- Environmental Attributes
 - Documentation supporting the use of environmental icons on GSA Advantage !® (excluding Energy Star and EPEAT)

Examples of Issues Identified During an Assessment

- Under-reported or Over-reported sales
- Out of “scope” orders
- TAA non-compliant products/services
- Price overcharges
- Non-compliant labor qualifications
- Inaccurate contact information
- Pricelist missing from GSA eLibrary
- Outdated or missing GSA Advantage!® pricelist
- Missing records/documentation
- Prompt Payment Discount overcharges



Educational Resources & References

- GSA's Vendor Support Center
- The Steps to Success: Contractor Reference Guide
- GSA Interact
- Multiple Award Schedule (MAS) Desk Reference Guide
- Who Can Order Through GSA Schedules?
- ACO/IOA Locator
- Procurement Technical Assistance Centers (PTACs)
- GSA's Social Networking Resources, and Many Others...

Questions ???

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